Exhibit 36 DEPOSITION OF RICHARD BENNETT OCTOBER 22, 1999, 10:37 A.M.

1	Before The FEDERAL COMMUNICATIONS COMMISSION				
2	Washington, D.C. 20554				
4	In re: Applications of : MM Docket No. 99-153				
5	READING BROADCASTING, INC.: : File No. BPCT-940407KF				
6	For Renewal of License of : Station WTVE (TV), Channel : 51 Reading Pennsylvania :				
7	51, Reading, Pennsylvania : : File No. BPCT-940630KG and :				
8	<b>:</b>				
9	ADAMS COMMUNICATIONS : CORPORATION :				
10	For Construction Permit for:				
11	a New Television Station : to Operate on Channel 51, :				
12	Reading, Pennsylvania :				
13					
14					
15	DEDONENT DICHARD DENNETT				
16	<u>DEPONENT</u> : RICHARD BENNETT				
17	DATE AND TIME: Friday, October 22, 1999				
18	at 10:37 a.m.				
19	<u>LOCATION</u> : Comfort Inn 2200 Stacy Drive				
20	Reading, Pennsylvania				
21					
22					
23	Berks Court Reporting Service				
24	Berks Court Reporting Service By: Lori A. Dilks, RPR 12 Pacific Avenue				
25	Sinking Spring, Pennsylvania (610) 678-9984				

1	<u>APPEARANCES</u> :		
2	HOLLAND & KNIGHT.	LLP	
3	By: Thomas J. Hu 2100 Pennsylvania	tton, Esquire Avenue, N.W.	
4	Suite 400 ° Washington, D.C.	10037-5564	
5	Repr	esenting Reading Broadcasting, I	nc.
6	BECHTEL & COLE, CI	HARTERED	
7	By: Gene A. Bechtel, Esquire 1901 L Street, N.W., Suite 250 Washington, D.C. 10036		
8	_		•
9	Representing Adams Communications		
10	ALSO PRESENT:		
11	David G. Horton, I Boy Scouts of <b>Am</b> o	Field Director erica	
12			
13			
14		I N D E X	
15	WITNESS	EXAMINED BY	PAGE
16	Richard Bennett	Mr. Bechtel	3 7
17		Mr. Hutton Mr. Bechtel	12
18		EVIITATE	
19		<u>EXHIBITS</u>	
20	<u>NUMBER</u>	DESCRIPTION	<u>PAGE</u>
21	Bennett 1	Career Awareness Schedule	4
22	Bennett 2	Issues and Programs Report	10
23			
24			
25		READING EXHIBIT 36 PAGE 2	

# PROCEEDINGS

RICHARD BENNETT,

was called as a witness and, having been first duly sworn by the Reporter-Notary Public, was examined and testified as follows:

### BY MR. BECHTEL:

- Q. For the record, would you state your name and residence address, please.
- A. My name is Richard Bennett. I live at 1926 Meadow Lane, Wyomissing, Pennsylvania.
- Q. My name is Gene Bechtel. I'm counsel for Adams Communications Corporation. You've met Mr. Hutton who is counsel for Reading Broadcasting Company.

If my questions are unclear, please let me know. If Mr. Hutton seeks to interject after I have asked a question, wait until he and I talk. And if you need a break, let us know.

- A. Yes.
- Q. Mr. Bennett is appearing, for the record, here pursuant to an agreement of counsel without a Subpoena or formal notice.

And, sir, I assume you are appearing here at the request of Channel 51?

- A. Yes.
- Q. And we have the pleasure of a colleague of

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bird sanctuary.

1	yours, David Horton, who's in our presence, too.
2	A. (Witness nods head horizontally.)
3	MR. HORTON: Horton, H-O-R-T-O-N.
4	(Whereupon, the Reporter marked Bennett 1
5	for identification, Career Awareness Schedule.)
6	BY MR. BECHTEL:
7	Q. How long have you lived in the Reading
8	area?
9	A. Since August of 1988. I had lived here
10	prior, back in the '60s.
11	Q. I note from your card that you are the
12	Scout Executive of the Hawk Mountain Council of the Boy
13	Scouts of America. Is that correct?
14	A. That's correct.
15	Q. And what is the Scout Executive?
16	A. Scout Executive is the Executive Director
17	of the organization. And Hawk Mountain Council is
18	Berks, Schuylkill County and a portion of Carbon County,
19	is the territory we cover.
20	Q. And the name Hawk Mountain is derived from?
21	A. The name Hawk Mountain we're named in
22	honor of the bird sanctuary because that's the one

the bird sanctuary is between the two counties, and when

we redid the Council in 1970, and we named it for the

1	Q. I've had the pleasure of watching birds
2	there at that location.
3	A. Great.
4	Q. The time frame we are looking at is 1989 to
5	1994; to be precise, August 1 of 1989 to August 1 of
6	1994. That's kind of hard to put it that way, that
7	type. It may also be helpful to know that during that
8	entire time frame Channel 51 was doing Home Shopping
9	Network programming.
10	During that time frame did you have a TV
11	set at home?
12	A. Yes.
13	Q. Did you have one in your office?
14	A. No.
15	Q. Approximately how much time did you devote
16	to watching television? And the kinds of programs that
17	interested you, describe those for us briefly.
18	A. In that time frame?
19	Q. Yes.
20	A. I watched the news channels, some sports,
21	various channels. That's really I don't watch many
22	of the sitcoms or things like that, but mostly just
23	those things.
24	Q. And by the news channels, what are you
25	referring to?  READING EXHIBIT 36 PAGE 5

A. Well, at that time it's certainly the	
hiladelphia stations. I also watched BCTV, the local.	
have a program on there, but I watch it a lot. That'	S
asically it.	

- Q. During that time frame did you watch Channel 51?
  - A. Yes, at times.
  - Q. And what did you watch Channel 51 for?
- A. I'm not sure I did. I've watched 51. I've been on later but it's a later time frame 'cause I was on there a couple of times.
  - Q. I would understand that.
- A. Yes. But prior to that, no, I couldn't really tell you if I really watched it or not at that time frame.
- Q. We appreciate you all coming because your purpose here is to share with us your knowledge of programming with which you are familiar aired on Channel 51 that was of a service to the community and, obviously, with special reference to the Boy Scouts programs.
  - A. Right.
- Q. Having said that, it might be useful to identify Exhibit 1 to your deposition which I believe we all have copies of. Would you tell us what that

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document is?

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Α. What it is -- and we were able to pull this from the files -- we have a program in the schools, in the Reading schools and Muhlenberg and many of the school districts where we take speakers in. It used to be called Career Awareness , and now it's called Learning for Life. And we ask people from various groups and various things to talk, whether it be about TV or radio, whatever it is, to the youth -- the students.

And what I brought this for was that at that time one of the people from Channel 51 did speak at our schools and continues to speak every year to some classes about broadcasting and so on.

- Q. And does the entry regarding Marsha Linn, RACC, have anything to do with your reason for selecting this document to bring along or just the reference to Mr. Bendetti?
- Α. Just the reference to Mr. Bendetti. we did was, this was listed -- all the various people who spoke on that day, we pulled it from the file.

MR. BECHTEL: Well. I think I'll let Mr.

Hutton take it from here.

BY MR. HUTTON:

Q. Exhibit 1 appears to show two visits by Mr.

Bendetti in 1993, one of them to the Oley Valley High School on October 26th, 1993 and one of them to Muhlenberg High School on December 13th, 1993.

To your knowledge, were those the only school visits that a representative of WTVE participated in during the 1989 to 1994 time frame?

A. To my knowledge, that's what we have on record; however, they probably spoke each year because they're still speaking now. And we keep speakers -- if they keep coming back we keep going after them.

Unfortunately, prior to 1993 we called it Career Awareness. There are no records on that, and I don't have every record through the years. We've had various people. I see that they go all the way back, and they're still speaking today.

- Q. When did the Career Awareness program begin?
- A. The Career Awareness program began in the late '80s. I came here in '88. The same program -- it was very similar -- we called it Learning for Life in the '90s. We go to various schools once a month with speakers.
- Q. And approximately how many visits a year does that encompass altogether?
  - A. A speaker could speak once that year. A

speaker could speak once each month for four or five months, at the most. Sometimes they do.

- Q. And does the Boy Scouts organization that you head up locally conduct any fund raising activity?
  - A. Yes.
  - 0. And what does that consist of?
- A. Three major dinners, solicitation of parents, project sales for camperships and so on, community campaign. We raise -- and some golf tournaments. We raise approximately \$500,000 a year in fund raising in the Hawk Mountain Council just from those activities.
- Q. And focusing again on the 1989 to 1994 time period, did WTVE play any role with respect to those fund raising activities?
- A. The role that they did is they -- we have a press conference for our speakers, and I know that they have been consistent at coming to that press conference once a year. And as long as we have been doing those -- which I think the press conferences we started doing them about 1992. And they were -- they're always there, you know, 'cause I've been at that press conference, and they come and they help -- they interview the speaker.
- Q. When you say they interview the speaker, you mean an on-camera interview?

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1 Α. On-camera interview. I don't know if it's 2 ever been played, but they've been there to talk to them 3 on an on-camera interview. And once or twice -- I can't give you the time frame; it's probably later than the 4 5 time frame here -- they actually did -- they actually taped things at the dinner, too, came in and done that. 6 MR. HUTTON: I would like to have 7 8 introduced this document as Bennett Exhibit 2. 9 (Whereupon, the Reporter marked Bennett 2 for identification, Issues and Programs Report.) 10 11 BY MR. HUTTON: 12 0. Mr. Bennett, this is a document you've not 13 seen before. It consists of excerpts from the Quarterly 14 Issues and Programs Reports for WTVE from the fourth 15 quarter of 1993 -- I'm sorry; the pages are mixed up, I think -- from the third quarter of 1993, at the end. 16 17 through the second quarter of 1994. Turning to the --18 MR. BECHTEL: One second. Let me see if I 19 can find the fourth quarter. 20 (Attorney Bechtel reviewed document.) 21 MR. BECHTEL: I have the third quarter of 22 '93. Is that what you said? 23 MR. HUTTON: The third quarter of '93

READING EXHIBIT 36

appears at the end, but there's also a second quarter of

'94 before that. The pages are mixed up.

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MR. BECHTEL: Off the record.

(Discussion was held off the record.)

BY MR. HUTTON:

- Q. Let's just go page by page here. Turning to the second page in that document, there's a narrative under the heading, Boy Scouts of America Environment. I would like you to review that narrative and tell me if you recall this public service announcement.
- A. (Witness complies). I recall it. We have different ones every year. That was ones of kids cleaning up and doing things, kind of a conservation type of thing. I remember it because we used it a lot, but I certainly remember that.
- Q. And do you recall this PSA being aired on WTVE?
- A. I know that we gave them out to stations. I did not see it on there, but I know that they were given out. Each year we get them and we distribute them. They're made by the National Boy Scout Council.
- Q. And, to your recollection, is this narrative consistent with your recollection of that PSA?
  - A. Yes.
- Q. Turning now to the first quarter of 1994, on the page that's marked 14 at the bottom there's a narrative at the top under the heading of Cops. I would

1	like you to review that narrative and tell me if you
2	recall this PSA.
3	A. (Witness reviewed document.)
4	I'm not familiar with the title Cops, but I
5	do remember the best gang to be in being in, scouting
6	I don't remember the name Cops being attached to that
7	PSA, but I do remember the PSA dealing with being in a
8	gang; scouting is the gang to be in. I just didn't know
9	that that's what it was titled.
10	Q. To your recollection, is this summary a
11	fair representation of what that PSA covered?
12	A. We had one that dealt about the gang and
13	being in the gang that had sirens and so on.
14	MR. HUTTON: I have nothing further.
15	BY MR. BECHTEL:
16	Q. The PSA you just testified to, was that one
17	that you handed out to the stations as well?
18	A. Yes.
19	MR. BECHTEL: I have no further questions.
20	We appreciate you all coming.
21	(Whereupon, the deposition concluded at
22	10:55 o'clock a.m.)
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24	
25	READING EXHIBIT 36 PAGE 12

J. C.

## CERTIFICATE

I, Lori A. Dilks, the officer before whom the deposition of RICHARD BENNETT was taken, do hereby certify that RICHARD BENNETT, the witness whose testimony appears in the foregoing deposition, was duly sworn by me on October 22, 1999, and that the transcribed deposition of said witness is a true record of the testimony given by him; that the proceedings are herein recorded fully and accurately to the best of my ability; that I am neither attorney nor counsel for, nor related to any of the parties to the action in which this deposition was taken; and, further, that I am not a relative of any attorney or counsel employed by the parties hereto or financially interested in this action.

Lori A. Dilks, RPR

Notary Public in and for the Commonwealth of Pennsylvania

BERKS COURT REPORTING SERVICE

#### CAREER AWARENESS SCHEDULE

DATE: October 26, 1993 TOPIC: Business / Communications

OLEY VALLEY HIGH SCHOOL - Oley, PA 19547 PHONE 987-4107 CONTACTS: Carol Miller and Diane Lotz, Counselors; Holly McCaw, Teacher 9th Grade - 2 Presentations

LEARNING FOR LIFE EXECUTIVE: JoAnne Pennypacker - 926-3406 (B)
CAREER AWARENESS CONSULTANT - Sally Trump - 589-2328 (H)

FIRST QUARTER
September 21, October 5, October 19, October 26, November 2, November 9

PERIOD	TIME TEACHER	ROOM/ STUDENTS	NAME OF SPEAKER	COMPANY
5	11:14-12:00 Holly McCaw	Room 78 Apx. 20	Daniel Bendetti Broadcasting 921-9181 NEEDS TV & VCR	WTVE-51
8	2:11 - 2:59 Holly McCaw		Marsha Linn Travel Agent 375-47みよ	RACC confunity

READING EXHIBIT 36 PAGE 15

EXHIBIT

Bennett 1

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8	2:11 - 2:59 Holly McCaw		Marsha Linn Travel Agent 375-47みよ	RACC confunction

READING EXHIBIT 36 PAGE 16

1 RAME (100)

# ISSUES AND PROGRAMS REPORT FOURTH QUARTER 1993

WTVE-TV 51

1729 NORTH ELEVENTH STREET

READING, PENNSYLVANIA 19604

COMPILED BY:
GEORGE MATTMILLER
OCTOBER, 1993



#### "Twinkle"

This animated half-hour features a magical character who has the power to make dreams a reality. He's an intergalactic genie with an ultra-cool attitude. His mission is to make children's wishes come true, and he's also here to have a little fun. He's Twinkle, the Dream Being, a cosmically cool, extra-terrestrial. His interstellar adventures teach children important pro-social skills, integrity and responsibility and how to save the environment.

#### Rising Sun Athletic Association - "Sunners"

WTVE-TV 51 produced this thirty-second Public Service Announcement for the Rising Sun Athletic Association to promote public awareness and generate donations for the campaign. The "Sunners" organization takes children from city league football squads for national competition in Florida. The organization also has cheerleading competition. WTVE met with representatives from the local Sunners chapter in creating the PSA.

#### Boy Scouts of America - "Environment"

The Boy Scouts of America sponsors this thirty-second Public Service Announcement entitled "Environment". The PSA. shows boys as young as first grade cleaning up the community. Appreciation and respect from other members of the community are bestowed on the boys for their efforts. Boys are urged to join the Boy Scouts to continue the fine work in their own communities.

#### Kid's Korner - #19 "Popeye Turns Sixty"

WTVE-TV 51 produced this 2 1/2-minute Public Service segment geared toward children. The piece showcases the popular cartoon-figure "Popeye", which celebrates its Sixtieth Anniversary as being a part of American Culture. The segment also shows modern-day testimony to the icon with a costumed arm-wrestling competition in New York City.

#### Kid's Korner - #20 "Milton Hershey Chocolate"

This three-minute Public Service segment, aimed at children, was produced by WTVE-TV 51 and informs the audience about the life of Milton Hershey, founder of the chocolate factory in nearby Hershey, Pennsylvania. The segment reviews his inventions in creating the world-renowned business. More importantly, the piece talks about the orphanage he founded to give underprivileged children a new start in life.



This is to certify that WTVE-TV51 aired the following Public Service Announcement at the following dates & times:

	Title:	Environment	Length:	30 seconds			
10	0/01/93	10/14/93	10/27/93	05:22:39A	11/20/93	12/02/93	
	4:22:25A	04:24:05A	01:19:19A		01:49:56A	05:24:2(A	
				11/09/93	05:22:37A	06:22:20P	
	0/02/93	10/15/93	10/28/93	02:22:19A	06:54:00A		
	1:24:00A	04:25:04A	02:50:01A	05:50:00A	04:26:01P	12/03/93	
0 :	5:25:53A					01:24:45A	
		10/16/93	10/29/93	11/10/93	11/21/93	02:22:03P	
	0/03/93	03:54:35A	02:54:29A	02:22:57A	01:46:47A		
	1:22:04A	30/30/00		05:48:54A	05:24:07A	12/04/93	
	5:23:57A	10/17/93	10/30/93		06:57:27A	CO.54:12A	
Οì	8:46:37A	03:54:34A	04:53:43A		11/22/02	08:18:30A	
1 /	0/04/93	06:39:53A	03:25:50P	03:21:17A	11/22/93	10/05/00	
	9:24:02A	10/10/02	10/21/02	11/10/00	04:51:51A	12/05/93	
	4:25:12P	10/18/93 04:26:03A	10/31/93	11/12/93	11/23/93	00:54:12A	
0.	4.23.128	10:54:33P	04:53:59A	00:21:20A	03:20:56A	12/06/02	
1 (	0/05/93	10:54:552	06:58:19A 03:21:43P	06:54:20P	03:20:30A	12/06/93 01:22:00A	
	4:23:26A	10/19/93	U3:21:43P	11/12/02	11/24/93	01:22:00A	
	8:24:47P	04:23:18A	11/01/93	11/13/93 01:22:35A	00:22:23A	12/07/93	
0.	0.24.47	04.23.10A	02?51?01A		00.22.23#	03:54:12A	
1 (	0/06/93	10/20/93	02:J1:01A	08:49:55A	11/25/93	01:21:13P	
	2:55:25A	04:24:31A	11/02/93	11/14/93	00:22:41A	01.21.135	
	2.00.20	01.21.514	03:54:00A		00.22.41A	12/08/93	
1	0/07/93	10/21/93	11:21:35A	08:58:22A	11/26/93	03:54:10A	
	2:56:26A	01:25:08A	07:26:12P	00.30.228	00:53:44A	04:50:14A	
		09:28:35P		11/15/93		01:23:10P	
1	0/08/93		11/03/93	00:20:25A	11/27/93		
0.	4:21:48A	10/22/93	02:26:22A		03:53:41A	12/09/93	
		01:25:05A			03:53:45P	03:54:09A	
	0/09/93	09:22:50P	11/04/93	11/16/93		01:21:02P	
	0:54:37A		02:24:32A	02:46:00A	11/28/93		
0	4:54:30A	10/23/93		11:49:40A	03:53:41A	12/10/93	
		04:27:19A	11/05/93	11:49:58P	03:53:41P	06:24:50P	
	0/10/93	06:54:36P	01:23:08A				
O.	4:56:35A		03:23:45A	,,	11/29/93	12/11/93	
,	0/11/00	10/24/93		02:49:02A	00:53:42A	00:19:30A	
	0/11/93	04:22:36A	11/06/93	11:49:20P	07:25:00A	04:49:41A	
0.	4:24:30A	06:43:24A	01:22:45A		11/20/02	03:26:10P	
1	0/10/00	06:55:30P	05:25:36A		11/30/93	12/10/02	
	0/12/93 3:54:37A	10/25/02	11/07/09	04:49:56A	05:24:53A	12/12/93	
		10/25/93	11/07/93	08:25:30P	06:20:48P	00:23:39A	
Τ	0:21:40P	04:24:08A	01:20:38A		12/01/02	04:50:08A	
1	0/13/03	10/26/02	05:24:56A	•	12/01/93	08:56:06A	
	0/13/93	10/26/93	11/00/05	04:49:25A	05:23:13A	O1:22:27P	
O	4:56:05P	01:24:56A	11/08/93		06:26:45P	READING EXHIBIT 36	=
			01:22:39A			PAGE 19	,
	1729	North Eleventh Stre	et • Reading	PA 19604 • (21	15) 921-9181 • F	AX (215) 921-9139	
			•	•		,,	





This is to certify that WTVE-TV51 aired the following Public Service Announcement at the following dates & times:

THO. EITHORITION ESTIGNIC OF COUNTY	Title:	Environment	Length:	30 seconds
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12/13/93 12/30/93 06:22:51A 03:54:09A 12/14/93 12/31/93 00:22:22A 05:54:40A 03:22:10P 12/15/93 00:26:21A 05:50:12A 12/16/93 00:20:47A 12/17/93 04:52:10A 12/18/93 04:48:29A 12/19/93 04:50:37As 12/20/93 04:53:21A 12/21/93 03:22:47A 12/22/93 03:24:49A 12/24/93 03:28:55P 12/27/93 03:22:30A 12/28/93 03:22:20A 12/29/93

03:54:10A

# ISSUES AND PROGRAMS REPORT FIRST QUARTER 1994

WTVE-TV51-TV 51

1729 NORTH ELEVENTH STREET

READING, PENNSYLVANIA 19604

COMPILED BY:
GEORGE MATTMILLER

wonderful world of children's literature comes to life through the weekly readings featured on the program, including classic tales, enchanting picture books and new stories from around the world. "The Children's Room", hosted by George Capaccio and Nona Scoville, instills a love of books and reading in children ages four through eight. The show's colorful sets and friendly hosts create the perfect environment for listening and learning. The focus throughout is on quality - dynamic stories, lively illustrations, and vivid animation. The wholesome, enlightening materials presented on "The Children's Room" also provide parents with the perfect opportunity for reviewing the latest children's books, and reacquainting themselves with the classic works from this very special literary form.

#### "Twinkle"

This animated half-hour features a magical character who has the power to make dreams a reality. He's an intergalactic genie with an ultra-cool attitude. His mission is to make children's wishes come true, and he's also here to have a little fun. He's Twinkle, the Dream Being, a cosmically cool, extra-terrestrial. His interstellar adventures teach children important pro-social skills, integrity and responsibility and how to save the environment.

#### Boy Scouts of America - "Environment"

The Boy Scouts of America sponsors this thirty-second Public Service Announcement entitled "Environment". The PSA. shows boys as young as first grade cleaning up the community. Appreciation and respect from other members of the community are bestowed on the boys for their efforts. Boys are urged to join the Boy Scouts to continue the fine work in their own communities.

#### Kids Korner - #1 "Food Care"

This segment shows children in the community how to feed their pets or animals properly to maintain them and enjoy them--learning responsibility.

#### Kids Korner - #2 "Pet Tags"

This segment features the importance of tags to identify our animals should they get lost. Teaching the children to put the proper information on the tags. Dog/cat name, address and phone numbers, etc. So animals can be returned to them and not the pound.

#### "Cops"

This PSA entitled "Cops" is reminding America that the Boy Scouts are important by offering youth today personal growth, traditional values and strong adult supervision. This PSA is showing kids that Boy Scouts is the best gang to be in.

#### Take 3 - #6 "Instrumental Music"

A brief overview of musical instruments and their placement in today's high school setting. Descriptions of the instrument families were covered as well as performance opportunities open to the high school musician. Also covered was the commitment, dedication and time put into learning how to play an instrument.

### Take 3 - #8 "Selecting A College"

This segment highlighted the important aspects of selecting a college with hosts Glenn Grim and Eric Troop.

### Take 3 - #14 "Space Camp"

This segment is an overview of the Space Camp program for students gifted in science with hosts Jeremy Posey and Eric Troop.

#### Take 3 - #15 "Planetarium"

This segment covers the inner workings of the Reading Planetarium and its shows with Jeremy Posey as it's hosts, Henry Hunsicker and Mark Mazurkowitz, operators of the Planetarium.

#### "Outstanding Youth"

Sponsored by Discover Card and the American Association of School Administrators, this PSA features Kimberly Williams, rodeo queen and a national winner of the Discover Card Tribute Award. Students compete in their junior year to win scholarships. Criteria are special talents, leadership, community service, unique endeavors, and obstacles overcome. Kimberly is hearing-impaired and has been involved in many school activities and corresponds with hearing-impaired children.

#### WTVE TV51 CERTIFICATION OF AFFIDAVIT PERFORMANCE REPORT Page: 1

This is to certify that WTVE-TV51 aired the following announcements at the dates and times shown below (times accurate within 15 minutes):

Title: ENVIRONMENT Length: :30 Type: PSA

01/01/94 05:20:30 16:46:10

01/02/94 05:20:30 06:48:00 16:46:10

01/03/94 03:54:00

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